

## FREQUENTLY ASKED QUESTIONS

### Tri-State Generation and Transmission Association, Inc.'s Montrose-Nucla-Cahone Transmission Improvement Project

#### BACKGROUND

##### **What is the Montrose-Nucla-Cahone Transmission Improvement Project?**

Tri-State Generation and Transmission Association, Inc. (Tri-State, proponent) is a wholesale electric power producer/supplier that serves 44 rural electric cooperatives and public power districts in Colorado, New Mexico, Wyoming and Nebraska. Tri-State's transmission system in southwestern Colorado relies on a number of 115-kilovolt (kV) circuits including the Montrose-Nucla-Cahone transmission line.

##### **Why is Tri-State proposing this project?**

Tri-State has submitted applications to the Bureau of Land Management (BLM) and the U.S. Forest Service (FS), (collectively referred to as the agencies), for authorizations to rebuild, operate and maintain the existing Montrose-Nucla-Cahone (MNC) 115-kV transmission line to a 230-kV transmission line. The proponent has identified a need to replace the existing MNC 115-kV transmission line for the following reasons:

- a. The line, constructed with wooden poles in 1958, has exceeded its expected lifespan of 50 years. The aging infrastructure has resulted in increasing maintenance and repair costs. Many of the poles have rot, woodpecker and insect damage, and cracks. Insulators are chipped/gun shot, and conductor wires are frayed and damaged from gun shots. Sections of the wire hang too low during high load times and require maintenance to meet North American Energy Reliability Council standards. Local crews are unable to keep up with accelerating maintenance needs on the aging infrastructure, and specialized maintenance crews and equipment are needed for conductor, hardware, insulator and shieldwire replacement.
- b. Energy loads are projected to increase. The existing system is incapable of serving cumulative loads exceeding a 35 megawatt addition. Studies of the performance, reliability and load serving capabilities of the line, and the overall performance of the electrical grid in southwestern Colorado result in the proponent's conclusion that rebuilding the MNC line to 230-kV would meet current and expected power needs in the region.

##### **What work is being proposed?**

If approved, the line would be rebuilt to 230-kV using primarily wooden H-frame structures; some self-supporting steel structures would be used. The H-frame structures would be approximately 25 feet taller and 10 feet wider than the existing poles. Tri-State proposes to use the existing 115-kV 100-foot right-of-way (ROW) for the rebuild to the greatest extent possible. The new 230-kV transmission line would require an additional 50 foot of ROW clearing for a total of 150 feet wide corridor. The rebuild would consist of the following components:

- A 230-kV transmission line from the existing Montrose Substation west of Montrose, Colorado to a new Nucla 230-kV Substation.
- A 230-kV transmission line from a new Nucla 230-kV Substation to the existing Cahone Substation near Dove Creek, Colorado.
- Double circuit structures between a new Nucla 230-kV Substation and the existing Nucla 115-kV Substation at the Nucla Power Plant. The double circuit would consist of the existing Sunshine-Nucla 115-kV line and the new 230-kV Nucla to Cahone section of the MNC transmission line.
- A new substation near the existing Nucla Substation and power plant, near Nucla, Colorado. The new substation would be called the Nucla 230-kV Substation.
- Expansion and equipment additions to the existing Montrose Substation (on Tri-State property) to accommodate the new 230-kV circuit.
- Expansion and equipment additions to the existing Cahone Substation (on Tri-State property) to accommodate the new 230-kV circuit.

- A possible deviation from the existing route to avoid canyon walls near the Cahone Substation.
- A possible deviation from the existing route of the transmission line at the crossing of the Dolores River Canyon.
- A possible deviation from the existing route of the transmission line in the Dry Creek Basin that may reduce impacts to Gunnison sage-grouse.
- Existing access routes that are used for maintenance of the project would be used, with any necessary modifications to accommodate construction vehicle widths/lengths, for construction of the new rebuilt transmission line.
- Pending final engineering design, additional spur routes could be needed for construction and long term operation/maintenance of the line, and tower locations could change due to the spans between towers increasing from the 115-kV tower spacing.
- Removal of the existing 115-kV towers during construction.

### **Where is the project located?**

The transmission line originates at the Montrose Substation, southwest of Montrose, Colorado and terminates at the Cahone Substation, east of Dove Creek, Colorado. The transmission line is about 80 miles long with approximately 40 miles of additional roads outside of transmission line ROW. The transmission line is located in Dolores, San Miguel, Montrose and Ouray Counties, in Colorado. About 105 miles are located on Federal land (59.1 miles on BLM managed lands and 46.4 miles on FS managed lands). See the project maps on the BLM website (address below) for additional location information.

### **When does Tri-State want to start construction?**

If approved, Tri-State plans to construct the Project in two segments and time periods, beginning with construction of the Nucla Substation and the Nucla to Cahone segment in 2017, followed by the Nucla to Montrose segment in 2018. In 2016, a network of existing access routes used to maintain the 115-kV transmission line would be improved upon as needed for use in constructing and maintaining the 230-kV transmission line.

### **What are the agencies' respective Purpose and Need?**

As the designated Lead Federal Agency, the BLM Southwest District Office has determined that an Environmental Assessment (EA) is required before the agencies can render decisions on the proposed Project. The FS is a cooperating agency in the EA, and will issue a separate decision to authorize work on National Forest System lands. The EA must comply with the National Environmental Policy Act (NEPA) of 1969 as amended, the Environmental Quality Improvement Act of 1970, and all other applicable laws, Executive Orders, regulations, and direction. Based on the NEPA analysis, the agencies will decide whether to 1) approve the proposed Project, 2) not approve the Project, or 3) approve the Project with modifications and, if approved, under what terms and conditions.

The purpose of the agencies' joint analysis is to analyze and respond to Tri-State's applications in a timely manner, identifying any permit conditions necessary for resource protection and public safety. The agencies' purpose is tied to the following laws, Memorandum(s) of Understanding and Executive Orders:

- Title 5 of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), (43 United States Code [U.S.C.] 1761) gives authority to both agencies to grant, issue or renew right-of-ways for electrical transmission lines.
- Westwide Energy Corridor (WVEC) MOU dated October 2009, created under authority of the Energy Policy Act of 2005, requires federal agencies including the Department of Energy, Department of Agriculture, and Department of the Interior, among others, to coordinate efforts in the siting and permitting process of electric transmission facilities on federal land.
- Section Two of Executive Order 13212: requires agencies to expedite their review of energy-related permits or take other actions as necessary to accelerate the completion of such projects,

while maintaining safety, public health, and environmental protections. Agencies shall take such actions to the extent permitted by law and regulation, and where appropriate.

The BLM's *need* for the proposed action is to respond to a request from Tri-State, as required under Title 5 of the Federal Land Policy and Management Act of 1976, (43 U.S.C. 1761), as amended (FLPMA), to gain access across public lands.

The FS is responding to a request for a new special use permit (SUP). The FS has primary responsibility to issue special use authorizations for ROW on National Forest System lands under the FLMPA. The FS proposes to authorize and subsequently issue a SUP with terms and conditions for the construction, maintenance, and operation of a 230-kV transmission line.

#### **What are the Agency Decisions to be Made?**

Both agencies will use the environmental analysis to make independent decisions related to the approval of the proposed Project submitted by Tri-State to construct, operate and maintain a transmission line through their respectively administered lands. The agencies propose to authorize and subsequently issue authorizations with terms and conditions for the construction, operation and maintenance of a 230-kV transmission line.

The BLM will decide whether to approve the ROW, not approve the ROW, approve the ROW with modifications, and if so, under what terms and conditions.

The FS will decide whether to approve the SUP, not approve the SUP, or approve the SUP with modifications, and if so, under what terms and conditions. The FS will also decide whether to issue a special use permit for the construction, operation and maintenance of the 230 kV line, what conditions to include in the Construction Stipulations, and what conditions to include in the Operation and Maintenance plan.

#### **Will any other agencies be involved?**

Council on Environmental Quality (CEQ) regulations allow that state agencies, local governments, and other Federal agencies to serve as cooperating agencies during the EA process if they have either jurisdiction by law or special expertise (40 CFR 1508.5). The BLM invited the Rural Utility Service, and a number of Tribal, federal, state, and local agencies who meet eligibility criteria, to serve as cooperating agencies. Currently, the FS is the only confirmed cooperating agency.

### **NATIONAL ENVIRONMENTAL POLICY ACT**

#### **How will the agencies evaluate the impacts to the existing environment and other uses such as recreation or hunting?**

As the designated Lead Federal Agency, the BLM Southwest District Office has determined that an EA is required before the agencies (BLM and FS) can render decisions on the proposed Project. The EA must comply with the National Environmental Policy Act (NEPA) of 1969 as amended, the Environmental Quality Improvement Act of 1970, and all other applicable laws, Executive Orders, regulations, and direction. This EA will be used to evaluate alternatives and to make a determination of the need to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

#### **What is the National Environmental Policy Act?**

The National Environmental Policy Act (NEPA) was passed by Congress in 1969 and signed into law on January 1, 1970. This legislation established a landmark national environmental policy which, among other things, encourages environmental protection and informed decision-making. It provides the means to carry out these goals by:

- Mandating that every Federal agency prepare a detailed statement of the effects of “major Federal actions significantly affecting the quality of the human environment.”

- Establishing the need for agencies to consider alternatives to those actions.
- Requiring the use of an interdisciplinary process in developing alternatives and analyzing environmental effects.
- Requiring that each agency consult with and obtain comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved.
- Requiring that detailed statements and the comments and views of the appropriate Federal, State, tribal, and local agencies be made available to the public.

The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment (40 Code of Federal Regulations [CFR] 1500.1(c)).

### **What is an Environmental Assessment? What is the purpose of an EA?**

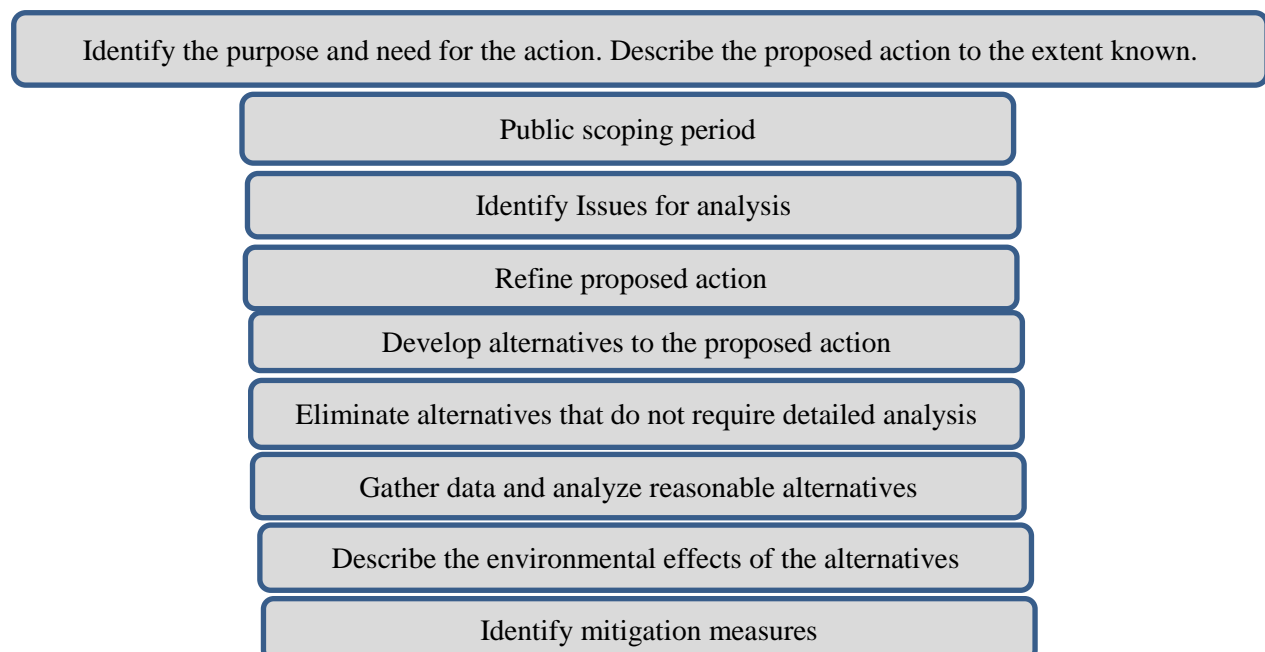
The agencies use various types of documents to meet NEPA requirements. Environmental analysis documents, which must be made available to the public, include EISs and EAs (40 CFR 1506.6(b)). If a proposed action will have a significant environmental impact, an agency must prepare an EIS (40 CFR 1502.1).

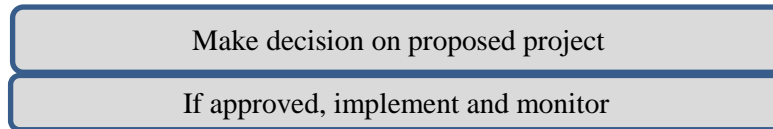
If it is unclear whether the action would have a significant effect, an agency may prepare an EA (40 CFR 1508.9(a)). The EA will analyze the potential effects of the proposed project on the existing environment including, but not limited to: wildlife, vegetation, cultural resources, existing land uses, recreation, roads/facilities, visual resources, livestock management, public safety, along with other issues that may be raised by the public. If the agencies determine, based on the analysis, that the proposed Project would result in significant impacts, an EIS would be prepared.

If the analysis in an EA shows the action would not have a significant effect, a FONSI documents that there is no need for an EIS (40 CFR 1508.13). The BLM's decision will be documented in a Decision Record and the FS decision will be documented in a Decision Notice.

### **What is the process for preparing an EA?**

The following flow chart outlines the general process for NEPA compliance. Public involvement may occur throughout this process. Keep in mind, NEPA is an iterative process and some steps may be revisited:





The CEQ regulations require NEPA documents to be “concise, clear, and to the point” (40 CFR 1500.2(b), 1502.4). Analyses must “focus on significant environmental issues and alternatives” and be useful to the decision-maker and the public (40 CFR 1500.1). Discussions of impacts are to be proportionate to their significance (40 CFR 1502.2(b)). Similarly, the description of the affected environment is to be no longer than is necessary to understand the effects of the alternatives (40 CFR 1502.15). “Most important, NEPA documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail.” (40 CFR 1500.1).

## PUBLIC INVOLVEMENT

### **What is scoping?**

The BLM and FS jointly published a legal notice in the newspaper of record (Grand Junction Daily Sentinel and the Durango Herald) on May 5, 2014, notifying the public of the intent to prepare an EA. The EA is in the initial stage, called “public scoping” in which potential environmental issues, project modifications, alternative corridors, and mitigation to be evaluated in the Preliminary EA are identified. During the scoping period, the public is encouraged to provide comments and information on factors that should be considered in the EA.

### **Why should I comment on the proposed project?**

Comments received will be used to help the Interagency Interdisciplinary Team identify issues and refine the proposed action, develop measures to mitigate potential negative effects, and develop alternatives to the proposed action that meet the agencies’ purpose and need and address key issues. Comment periods will be conducted jointly between the agencies, with the BLM serving as the Lead Federal Agency. Each agency will be subject to its respective regulations; for example, the BLM appeals (43 CFR 3279) process and the FS pre-decisional objections (36 CFR 218 Subparts A and B). Your comments will help shape the NEPA analysis and the analysis will serve as the foundation for the agencies’ decisions.

There will be two formal, 30-day comment periods during this process (including the current scoping period and a second period that will commence with the release of the preliminary EA). Submitting comments during either of these comment periods will establish standing for BLM appeals (43 CFR 3279) and FS objections (36 CFR Subpart B 218.24). See below for further information establishing standing.

### **How do I submit my comments?**

Written comments may be submitted by mail, email or fax. Comments concerning this proposal should be submitted no later than June 4, 2014. Comments may be submitted in the following manner:

- By mail: Southwest District Office  
ATTN: Tri-State Project  
2465 South Townsend Avenue  
Montrose, Colorado 81401
- By email: [blm\\_co\\_tristatemnc@blm.gov](mailto:blm_co_tristatemnc@blm.gov)
- By fax: 970-240-5367

Please note "Tri-State Montrose-Nucla-Cahone" in the subject line for all emails.

**Will there be other opportunities are there for public involvement?**

Yes. The public will have an opportunity to review and comment on the Preliminary EA, scheduled for release in early 2015.

**How do I establish standing for the agency appeals processes?**

Comment periods will be conducted jointly between the agencies with BLM serving as the Lead Federal Agency; however each agency will be subject to its respective regulations for BLM appeals and FS pre-decisional objections (36 CFR 218 Subparts A and B). There will be two 30-day comment periods during this process (this one and a second that will occur with the release of the Preliminary EA). Submitting comments during either of these comment periods will establish standing for BLM appeals and FS objections (36 CFR Subpart B 218.24).

Only those who submit timely comments will be accepted as appellants of the final BLM decisions. Individuals and organizations wishing to be eligible to appeal must meet the information requirements of 36 CFR 215.6 and/or BLM appeal and stay procedures as outlined in Form C0-1842-1.

In order to meet the FS's "specific written comments" (36 CFR Subpart A 218.2) requirement for objection eligibility, your comments must be 1) within the scope of the proposed action, 2) have a direct relationship to the proposed action, and 3) must include supporting reasons for the responsible official to consider. To establish standing for the FS 218 objection process, all specific, written comments (36 CFR Subpart B 218.25) must be submitted (postmarked) 30 days from publication of the legal notice in Grand Junction Daily Sentinel and the Durango Herald or close of business June 4, 2014 whichever is later.

Your comments should include: 1) your name and postal address, 2) title of the project (Tri-State Montrose-Nucla-Cahone), and 3) signature or other verification of identity upon request. Note to groups, comments received from individual group members through a clearinghouse or group-generated mail will be considered as the views of the group only (36 CFR Subpart B 218.25(a)(3)(v)).

**Will my information be kept confidential?**

Please be advised that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can request that your personally identifiable information be withheld from public review, we cannot guarantee that we will be able to do so.

### NEXT STEPS & FURTHER INFORMATION

**How can I get a copy of the EA when it comes out?**

The Preliminary EA will be posted on the BLM's website at <http://blm.gov/dvld>. You can also request a DVD of the EA by sending a request to any of the contact methods listed above. Paper copies will be available for viewing at local BLM and FS offices and at local libraries.

**How can I stay informed of project status?**

Legal notices announcing comment periods, including the 30-day scoping and preliminary EA periods, will be posted in the newspapers of record (Grand Junction Daily Sentinel and the Durango Herald) and on the BLM website at <http://blm.gov/dvld>.

The BLM's website: <http://blm.gov/dvld>, will be updated as new information is available. You may also submit a request to be added to the project mailing list (postal mail only) to be notified of future opportunities to be involved.

**How can I get more information?**

For more information, go to the BLM Tri-State Project website at <http://blm.gov/dvld> or contact Gina Jones, BLM NEPA Coordinator by phone at (970) 882-6829 or by email to [gmjones@blm.gov](mailto:gmjones@blm.gov).

Additional information about the FS objection process can be obtained by contacting Liz Mauch by phone at (970) 240-5405 or by email to [lmauch@fs.fed.us](mailto:lmauch@fs.fed.us).

**Where else can I learn about the NEPA process?**

The CEQ's Citizens Guide to NEPA is available

at: [http://www.blm.gov/pgdata/etc/medialib/blm/nm/programs/planning/planning\\_docs.Par.53208.File.dat/A\\_Citizens\\_Guide\\_to\\_NEPA.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/nm/programs/planning/planning_docs.Par.53208.File.dat/A_Citizens_Guide_to_NEPA.pdf).

See also the CEQ's NEPA's 40 Most Asked Questions

at: [http://www.blm.gov/wo/st/en/prog/planning/nepa/webguide/40\\_most\\_asked\\_questions/questions\\_11-19.html](http://www.blm.gov/wo/st/en/prog/planning/nepa/webguide/40_most_asked_questions/questions_11-19.html)